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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/16/08

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MEMO ENDORSED

July 15, 2008

BY FAX

Hon. P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 2260
New York, NY 10007
Fax No.: (212) 805-7949

Re: Diet Coffee, Inc. v. Viatek Consumer Products Group, Inc., 1:08-cv-04686

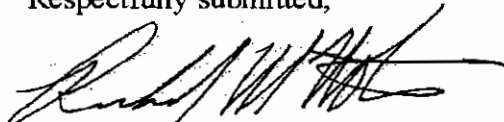
Dear Judge Castel:

This office represents the plaintiff in the above-referenced action.

On July 11, 2008, the Court So Ordered a stipulation whereby counsel will accept service of the complaint on behalf of the Defendants and Defendants shall have until July 28, 2008 to respond to Plaintiff's Complaint. During this interim period the parties are working to achieve a settlement.

On July 18, 2008 this case is scheduled to appear before the Court for an Initial Pre-Trial Conference. Accordingly, I respectfully request, upon consent of the Defendants, that the IPTC be adjourned to a date after July 28, 2008, pending a settlement or response to the Complaint.

Respectfully submitted,


Richard M. Mortner

cc: Craig Smith, Esq.

*Conference adjourned
from July 18th to 9:45am.
August 5, 2008 at 9:45am.
SO ORDERED
SDT
7-15-08*